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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/965,387 | 09/27/2001 | Jason E. Cosky | 42390.P11979 | 2940 |

8791 7590 10/04/2005

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EXAMINER

MCLEAN MAYO, KIMBERLY N

ART UNIT PAPER NUMBER

2187

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------------|------------------------------|--|
| Office Action Summary | Application No. 09/965,387 | Applicant(s) COSKY ET AL. | |
| | Examiner Kimberly N. McLean-Mayo | Art Unit 2187 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-47,49,51,52,54-57 and 59-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 44-47,49 and 61-64 is/are allowed.
- 6) ☒ Claim(s) 51,52,54-57,59 and 60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The enclosed detailed action is in response to the Amendment submitted on July 15, 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 51, 54-56 and 59-60 are rejected under 35 U.S.C. 102(b) as being anticipated by Maruyama (JP 05120128).

Regarding claims 51, 54-56 and 59-60, Maruyama discloses initializing a circuit coupled to a host system bus, the circuit having reserved memory locations (addresses corresponding to local memory, Reference 8) and control logic (Figure 1, Reference 1), the reserved memory locations coupled to the control logic via an internal bus (the local memory (Ref. 8); monitoring the host system bus for a signal (signal is comprised of the address bits corresponding to an address of the local memory) indicating an address of one or more of the reserved memory locations (the local memory is used in common with an address space allocated to the main memory and thus in controlling the switch (Ref. 6), the control logic must determine which address correlates to the main memory and the local memory), and selectively coupling the internal bus to the host system bus to switch control of the indicated reserved memory location to the host system bus (Abstract; when host system, comprised of devices 2, 3 or 4, access local memory by one of its components

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the local memory is coupled to the system bus), including disabling error correcting codes prior to switching control of the reserved memory location to the host system bus; or to the control logic to switch control of the indicated reserved memory location to the control logic, depending on whether the signal having the address is detected (Abstract; the switch couples the control logic [cpu] to the local memory when accessed by the control logic).

Regarding claims 52 and 57, Maruyama discloses coupling the internal bus to the host system bus to switch control of the indicated reserved memory location to the host system bus if the address comprises a first address (first address is an address requested by the host system which corresponds to the local memory); coupling the internal bus to control logic to switch control of the indicated reserved memory location to the control logic if the address comprises a second address (second address is an addresses requested by the control logic which corresponds to the local memory).

Response to Amendment

4. Claims 53 and 58 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, the claims (51 and 56) have not been allowed in this Office Action because the prior art still anticipates the claims including the incorporated features of claims 53 and 58. The claim language is written in the alternative form, which means that the prior art only has to disclose/teach one of the alternative elements to anticipate that claimed feature. In this case, Maruyama teaches selectively coupling the internal bus to the

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control logic to switch control of the indicated reserved memory location to the control logic, depending on whether the signal having the address is detected (Abstract; the switch couples the control logic [cpu] to the local memory when accessed by the control logic).

Allowable Subject Matter

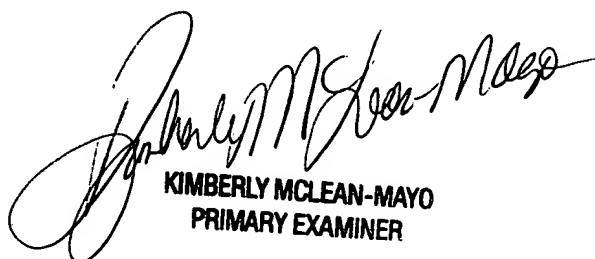
5. Claims 44-47, 49 and 61-64 are allowed.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly N. McLean-Mayo whose telephone number is 571-272-4194. The examiner can normally be reached on Mon (10-4), Tues, Thu (10-2), Fri (10-6:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on 571-272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KIMBERLY MCLEAN-MAYO
PRIMARY EXAMINER

Kimberly N. McLean-Mayo
Primary Examiner
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KNM

October 3, 2005